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ATTORNEY'S DOCKET NO. 1095-1068.1 PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Robert V. Norby and René Hunziker

Serial No.: 09/933,527

Filed: August 20, 2001

Patent: Rail Welderhead Shear Apparatus

) Examiner: McCarry

)

) Group Art Unit: 1725

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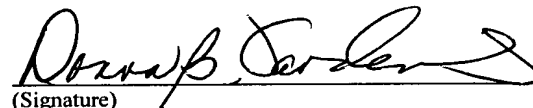
Certificate Under 37 CFR 1.8(a)

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on Tuesday, September 28, 2004

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(Signature)

Donna B. Vandenberg

(Printed Name)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT AND RESPONSE

Responsive to the Office Action of June 28, 2004, Applicants respond as follows:

IN THE CLAIMS

Please cancel claims 1 - 5, 8 - 15, 20 and 21 without prejudice.

Please amend claims 6, 7 and 18 as indicated below.